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| TDANCAUTTAL E  | ODM   | Application No.   | 10/085.661   |  |  |  |
|--|---|---|--|--|--|--|
| TRANSMITTAL F  | ORIVI                                       | Filing Date   | February 26, 2002  |  |  |  |
| (to be used for all correspondence af  | ter initial filing)                         | First Named Inventor  | Kelan C. Silvester   |  |  |  |
|  |   | Art Unit  | 2681   |  |  |  |
|  |   | Examiner Name   | TBD  |  |  |  |
| Total Number of Pages in This Submission   | on 7  | Attorney Docket Number  | 42390P13004  |  |  |  |
| ENCLO  | SURES (chec                                 | ck all that apply)  |  |  |  |  |
| Fee Transmittal Form   | Drawing(s)                                  | )   | After Allowance Communication to Group                                     |  |  |  |
| Fee Attached   | Licensing-r                                 | elated Papers   | Appeal Communication to Board of Appeals and Interferences                 |  |  |  |
| Amendment / Response   | Petition                                    |   | Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)          |  |  |  |
| After Final Affidavits/declaration(s)  | Petition to C<br>Provisional                | Convert a<br>Application                                      | Proprietary Information  |  |  |  |
| Extension of Time Request  | Power of A<br>Change of                     | ttorney, Revocation<br>Correspondence Address                 | Status Letter  |  |  |  |
| Express Abandonment Request  | Terminal D                                  | Disclaimer  | Other Enclosure(s) (please identify below):                                |  |  |  |
| Information Disclosure Statement   | Request for                                 | Request for Refund Return receipt postc                       |  |  |  |  |
| PTO/SB/08  | CD, Number                                  | er of CD(s)   |  |  |  |  |
| Certified Copy of Priority Document(s)   | :   |   |  |  |  |  |
| Response to Missing Parts/<br>Incomplete Application   | Remarks                                     |   |  |  |  |  |
| Basic Filing Fee   | IDS refs en                                 | <b>_</b><br>c'd 7 Non-Patent [                                | Documents  |  |  |  |
| Declaration/POA  |   |   |  |  |  |  |
| Response to Missing Parts under 37 CFR 1.52 or 1.53  |   |   |  |  |  |  |
| SIGNATUR   | E OF APPLICAI                               | NT, ATTORNEY, OR AG   | ENT  |  |  |  |
| Firm Joseph Lutz, F  | Joseph Ediz, Reg. No. 45,705                |   |  |  |  |  |
|  |   |   |  |  |  |  |
| Signature  |   |   |  |  |  |  |
| Date   | Dur   | Kest 5 s  | 2004   |  |  |  |
| CERTIF   | ICATE OF MAIL                               | ING/TRANSMISSION  |  |  |  |  |
| I hereby certify that this correspondence is being postage as first class mail in an envelope address. | ng deposited with the<br>essed to: Commissi | e United States Postal Servi<br>ioner for Patents, P.O. Box 1 | ce on the date shown below with sufficient 450, Alexandria, VA 22313-1450. |  |  |  |
| Typed or printed name   Marilyn Ba   | ^   |   |  |  |  |  |
| Signature Way  | ling  | an I  | Date 08-04-05  |  |  |  |

FEE TRANSMITTAL

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)

Complete if Known

Application Number

10/085.661

Filing Date

Filing Date

First Named Inventor

Kelan C. Silvester

Examiner Name

TBD

Art Unit

2681

Attorney Docket No.

METHOD OF PAYMENT (check all that apply)

| METHOD OF PAYMENT (check all that apply)   Check   |             | OTAL A    | NICONT CI | PATMEN          |          | (Φ) At                    | tomey Docket No.      | 42390P13004               |                |  |
|--|-------------|-----------|-----------|-----------------|----------|---------------------------|-----------------------|---------------------------|----------------|--|
| Deposit Account Deposit Account Number: 92-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)    Charge fee(s) indicated below   Charge fee(s) indicated below, except for the filing fee  | N           | METHO     | OF PAY    | MENT (c         | heck all | hat apply)                |                       |                           |                |  |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)    Charge fee(s) indicated below   Charge fee(s) indicated below, except for the filing fee   Charge any additional fee(s) or underpayment of fee(s)   Credit any overpayments  |             | heck      | Credit ca | ard $\square$ M | Ioney Or | ler 🛮 None 🔲 Othe         | er (please identify): |                           |                |  |
| Charge fee(s) indicated below under any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.    Charge Entity  | $\boxtimes$ | Deposit A | Account D | Deposit A       | ccount N | umber: <u>02-2666</u> Dep | osit Account Name: I  | Blakely, Sokoloff, Taylor | & Zafman LLP   |  |
| Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.    Code  | ]           |           |           |                 |          |                           |                       |                           |                |  |
| Large Entity   |             |           |           |                 |          | 1 (66.77)                 | = -                   |                           | the filing fee |  |
| Large Entity   |             |           |           |                 |          |                           | ☐ Credit any overp    | payments                  |                |  |
| Large Entity         Small Entity         Fee Fee Code (\$)         Fee Fee Fee Code (\$)         Fee Description         Fee Paid           1051         130         2051         65         Surcharge - late filing fee or oath  | FEE         |           |           |                 |          |                           |                       |                           |                |  |
| Fee Code (\$)         Fee Code (\$)         Fee Description         Fee Paid           1051         130         2051         65         Surcharge - late filing fee or oath  |             |           |           |                 | ·        |                           |                       |                           | · · · · · ·    |  |
| Code (\$)         Code (\$)         Fee Description         Fee Paid           1051         130         2051         65         Surcharge - late filing fee or oath           1052         50         2052         25         Surcharge - late provisional filing fee or cover sheet.           2053         130         2053         130         Non-English specification           1251         120         2251         60         Extension for reply within first month           1252         450         2252         225         Extension for reply within second month           1253         1,020         2253         510         Extension for reply within fourth month           1254         1,590         2254         795         Extension for reply within fifth month           1255         2,160         2255         1,080         Extension for reply within fifth month           1401         500         2401         250         Notice of Appeal           1402         500         2402         250         Filing a brief in support of an appeal           1403         1,000         2403         500         Request for oral hearing           1460         130         2460         130         Petitions to the Commissioner           < |             |           |           |                 | <u> </u> |                           |                       | •                         |                |  |
| 1051   130   2051   65   Surcharge - late filing fee or oath   1052   50   2052   25   Surcharge - late provisional filing fee or cover sheet.   2053   130   2053   130   Non-English specification   1251   120   2251   60   Extension for reply within first month   1252   450   2252   225   Extension for reply within second month   1253   1,020   2253   510   Extension for reply within third month   1254   1,590   2254   795   Extension for reply within fourth month   1255   2,160   2255   1,080   Extension for reply within fifth month   1401   500   2401   250   Notice of Appeal   1402   500   2402   250   Filing a brief in support of an appeal   1403   1,000   2403   500   Request for oral hearing   1451   1,510   2451   1,510   Petition to institute a public use proceeding   1460   130   2460   130   Petitions to the Commissioner   1807   50   1807   50   Processing fee under 37 CFR 1.17(q)   1806   180   1806   180   Submission of Information Disclosure Stmt   1809   790   1809   395   Filing a submission after final rejection (37 CFR § 1.129(a))   1810   790   2810   395   For each additional invention to be examined (37 CFR § 1.129(b))   Other fee (specify)   |             |           |           |                 |          | Fee Description           |                       |                           | Fee Paid       |  |
| 1052   50   2052   25   Surcharge - late provisional filing fee or cover sheet.   2053   130   Non-English specification   | (           |           | ` '       |                 |          | ·                         |                       |                           |                |  |
| 2053   130   2053   130   Non-English specification  |             |           |           |                 |          | _                         |                       |                           |                |  |
| 1251 120 2251 60 Extension for reply within first month 1252 450 2252 225 Extension for reply within second month 1253 1,020 2253 510 Extension for reply within fourth month 1254 1,590 2254 795 Extension for reply within fourth month 1255 2,160 2255 1,080 Extension for reply within fifth month 1401 500 2401 250 Notice of Appeal 1402 500 2402 250 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)   |             |           |           |                 |          | •                         | -                     | ee or cover sheet.        |                |  |
| 1252   |             |           |           |                 |          |                           |                       |                           |                |  |
| 1253 1,020 2253 510 Extension for reply within second month 1254 1,590 2254 795 Extension for reply within fourth month 1255 2,160 2255 1,080 Extension for reply within fifth month 1401 500 2401 250 Notice of Appeal 1402 500 2402 250 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)   |             |           |           |                 |          | · ·                       | <b>-</b>              |                           |                |  |
| 1254       1,590       2254       795       Extension for reply within fourth month         1255       2,160       2255       1,080       Extension for reply within fifth month         1401       500       2401       250       Notice of Appeal         1402       500       2402       250       Filing a brief in support of an appeal         1403       1,000       2403       500       Request for oral hearing         1451       1,510       2451       1,510       Petition to institute a public use proceeding         1460       130       2460       130       Petitions to the Commissioner         1807       50       1807       50       Processing fee under 37 CFR 1.17(q)         1806       180       180       Submission of Information Disclosure Stmt         1809       790       1809       395       Filing a submission after final rejection (37 CFR § 1.129(a))         1810       790       2810       395       For each additional invention to be examined (37 CFR § 1.129(b))         Other fee (specify)  |             |           |           |                 |          |                           | •                     |                           |                |  |
| 1255 2,160 2255 1,080 Extension for reply within fifth month  1401 500 2401 250 Notice of Appeal  1402 500 2402 250 Filing a brief in support of an appeal  1403 1,000 2403 500 Request for oral hearing  1451 1,510 2451 1,510 Petition to institute a public use proceeding  1460 130 2460 130 Petitions to the Commissioner  1807 50 1807 50 Processing fee under 37 CFR 1.17(q)  1806 180 1806 180 Submission of Information Disclosure Stmt  1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a))  1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b))  Other fee (specify)   |             |           |           |                 |          | •                         | -                     |                           |                |  |
| 1401       500       2401       250       Notice of Appeal         1402       500       2402       250       Filing a brief in support of an appeal         1403       1,000       2403       500       Request for oral hearing         1451       1,510       2451       1,510       Petition to institute a public use proceeding         1460       130       2460       130       Petitions to the Commissioner         1807       50       1807       50       Processing fee under 37 CFR 1.17(q)         1806       180       1806       180       Submission of Information Disclosure Stmt         1809       790       1809       395       Filing a submission after final rejection (37 CFR § 1.129(a))         1810       790       2810       395       For each additional invention to be examined (37 CFR § 1.129(b))         Other fee (specify)  |             |           |           |                 |          | · '                       |                       |                           |                |  |
| 1402 500 2402 250 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)   |             |           | , T       |                 |          | •                         | y within fifth mon    | th                        |                |  |
| 1403       1,000       2403       500       Request for oral hearing         1451       1,510       2451       1,510       Petition to institute a public use proceeding         1460       130       2460       130       Petitions to the Commissioner         1807       50       Processing fee under 37 CFR 1.17(q)         1806       180       1806       180       Submission of Information Disclosure Stmt         1809       790       1809       395       Filing a submission after final rejection (37 CFR § 1.129(a))         1810       790       2810       395       For each additional invention to be examined (37 CFR § 1.129(b))         Other fee (specify)  |             | 1401      |           | 2401            | 250      | Notice of Appeal          |                       |                           |                |  |
| 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)   |             | 1402      | 500       | 2402            | 250      | Filing a brief in su      | ipport of an appe     | eal                       |                |  |
| 1460       130       2460       130       Petitions to the Commissioner         1807       50       1807       50       Processing fee under 37 CFR 1.17(q)         1806       180       1806       180       Submission of Information Disclosure Stmt         1809       790       1809       395       Filing a submission after final rejection (37 CFR § 1.129(a))         1810       790       2810       395       For each additional invention to be examined (37 CFR § 1.129(b))         Other fee (specify)   |             | 1403      |           | 2403            | 500      | Request for oral I        | nearing               |                           |                |  |
| 1807       50       1807       50       Processing fee under 37 CFR 1.17(q)         1806       180       1806       180       Submission of Information Disclosure Stmt         1809       790       1809       395       Filing a submission after final rejection (37 CFR § 1.129(a))         1810       790       2810       395       For each additional invention to be examined (37 CFR § 1.129(b))         Other fee (specify)   |             |           |           |                 | 1,510    | Petition to institute     | e a public use pr     | roceeding                 |                |  |
| 1806 180 1806 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)   |             | 1460      | 130       | 2460            | 130      | Petitions to the C        | ommissioner           |                           |                |  |
| 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)   |             | 1807      | 50        |                 | 50       | Processing fee ur         | nder 37 CFR 1.1       | 7(q)                      |                |  |
| 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b))  Other fee (specify)  |             | 1806      | 180       | 1806            | 180      | Submission of Inf         | formation Disclos     | sure Stmt                 |                |  |
| Other fee (specify)  |             |           |           |                 | 395      | Filing a submission       | after final rejection | (37 CFR § 1.129(a))       |                |  |
|  |             |           |           |                 | 395      | For each additional i     | invention to be exa   | mined (37 CFR § 1.129(i   | b))            |  |
| SUBTOTAL (2) (\$)  | C           | other f   | ee (spe   | cify) _         |          |                           |                       |                           |                |  |
|  |             |           |           |                 |          |                           |                       | SUBTOTAL (2)              | (\$)           |  |

| SUBMITTED B       | Υ           | Complete (if applicable) |                                      |        |           |                |
|-------------------|-------------|--------------------------|--------------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Joseph Lutz | 10                       | Registration No.<br>(Attorney/Agent) | 43,765 | Telephone | (310) 207-3800 |
| Signature         |             | P()                      | $\times$                             |        | Date      | 08-05-05       |

Based on PTO/SB/17 (12-04) as modified by Blakely, Soldkoff, Taylor & Zafman (wir) 12/15/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Mexandria, VA 22313-1450

O 1 P E C S

## FEE TRANSMITTAL

Patent fees are subject to annual revision.

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Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

|                      | Complete if Known  |          |  |  |  |
|----------------------|--------------------|----------|--|--|--|
| Application Number   | 10/085.661         |          |  |  |  |
| Filing Date          | February 26, 2002  | <u>:</u> |  |  |  |
| First Named Inventor | Kelan C. Silvester |          |  |  |  |
| Examiner Name        | TBD                |          |  |  |  |
| Art Unit             | 2681               |          |  |  |  |
| Attorney Docket No.  | 42390P13004        |          |  |  |  |

| METHOD     | OF PAY  | MENT (c)   | heck all t | METHOD OF PAYMENT (check all that apply)                            |             |  |  |  |
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| ☐ Check ☐  | Credit ca   | ard M      | loney Ord  | der None Other (please identify):                                   |             |  |  |  |
| Deposit A  | Account D   | Deposit Ac | count N    | Jumber: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Z | afman LLP   |  |  |  |
| For the a  | For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  Charge fee(s) indicated below  Charge any additional fee(s) or underpayment of fee(s)  Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. |            |            |   |             |  |  |  |
| FEE CALCUL | ATION   |            |            |   |             |  |  |  |
| Large En   | ntity<br>Fee  | Small      | Fee        |   | Fee Paid    |  |  |  |
| Code       | (\$)  | Code       | • •        | ·   | <del></del> |  |  |  |
| 1051       | 130   | 2051       |            | Surcharge - late filing fee or oath                                 |             |  |  |  |
| 1052       | 50  | 2052       |            | Surcharge - late provisional filing fee or cover sheet.             |             |  |  |  |
| 2053       | 130   | 2053       |            | 110.7 = 19.10.1   |             |  |  |  |
| 1251       | 120   | 2251       |            | Extension for reply within first month                              |             |  |  |  |
| 1252       | 450   | 2252       |            | Extension for reply within second month                             |             |  |  |  |
| 1253       | 1,020   | 2253       |            | Extension for reply within third month                              |             |  |  |  |
| 1254       | 1,590   | 2254       |            | Extension for reply within fourth month                             |             |  |  |  |
| 1255       | 2,160   | 2255       | 1,080      | Extension for reply within fifth month                              |             |  |  |  |
| 1401       | 500   | 2401       | 250        | Notice of Appeal  |             |  |  |  |
| 1402       | 500   | 2402       | 250        | Filing a brief in support of an appeal                              |             |  |  |  |
| 1403       | 1,000   | 2403       |            | Request for oral hearing  |             |  |  |  |
| 1451       | 1,510   | 2451       |            | Petition to institute a public use proceeding                       |             |  |  |  |
| 1460       | 130   | 2460       |            |   |             |  |  |  |
| 1807       | 50  | 1807       |            |   |             |  |  |  |
| 1806       | 180   | 1806       |            | Submission of Information Disclosure Stmt                           |             |  |  |  |
| 1809       | 790   | 1809       |            | Filing a submission after final rejection (37 CFR § 1.129(a))       |             |  |  |  |
| 1810       | 790   | 2810       |            | For each additional invention to be examined (37 CFR § 1.129(b))    |             |  |  |  |
|            | l<br>fee (spe   | cify) _    |            |   |             |  |  |  |
|            |   |            |            | SUBTOTAL (2)  |             |  |  |  |

| SUBMITTED B       | V           |                                   |        | Com       | olete (if applicable) |
|-------------------|-------------|-----------------------------------|--------|-----------|-----------------------|
| Name (Print/Type) | Joseph Lutz | Registration No. (Attorney/Agent) | 43,765 | Telephone | (310) 207-3800        |
| Signature         |             | X                                 |        | Date      | 08-05-05              |

Based on PTO/SB/17 (12-04) as modified by Blakely, Solokoff, Taylor & Zafman (wir) 12/15/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Mexandria, VA 22313-1450

Docket No.: 42390P13004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

KELAN C. SILVESTER

Application No.: 10/085.661

Filed: February 26, 2002

For: AN APPARATUS AND METHOD FOR

AN AUDIO CHANNEL SWITCHING

WIRELESS DEVICE

Art Group: 2681

Examiner: TBD

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). This IDS and IDS Citation Form are being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

Date: 005

BLAKELY, SOKOLOFF, TAYDOR & ZAFMAN LLP

Joseph Lutz/Reg. No. 43, 165

12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025

Telephone: (714) 557-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Marilyn Bass (

JDate

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

heet 1 of 2

|                        |                    | _ |
|------------------------|--------------------|---|
|                        | Complete if Known  |   |
| Application Number     | 10/085.661         |   |
| Filing Date            | February 26, 2002  |   |
| First Named Inventor   | Kelan C. Silvester |   |
| Art Unit               | 2681               |   |
| Examiner Name          | TBD                |   |
| Attorney Docket Number | 42390P13004        |   |

| 9                     |              |   | U.S. PAT  | NT DOCUMENTS                                       |   |
|-----------------------|--------------|---|---|--|---|
| Examiner<br>Initials* | Cite<br>No.1 | Document Number  Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>or Issue Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |              | US-4,653,097  | 03-24-1987                                      | Watanabe et al.                                    |   |
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|                       |              | US-6,366,622  | 04-02-2002                                      | Brown et al.                                       |   |
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|                       |              | US-2002/0129264   | 09-12-2002                                      | Rowland et al.                                     |   |
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|                       |              | US-6,711,381  | 03-23-2004                                      | Cook et al.  |   |
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